THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) On October 27, 2001, a foreign mercenary entered the Jamia Mosque, at Panzan village, PS Chadoora, district Budgam. The SFs cordoned off the Mosque and asked the militant to surrender. The militant, however, opened fire on the security forces. The security forces exhibited restraint for more than 50 hours in order to maintain the religious sanctity of the Mosque. Finally the militant who was a Pak mercenary, was eliminated.

(b) India has also apprised the international community of Pakistan's sponsorship of and support to terrorism directed against India. There is now widespread international recognition of the need to eradicate terrorism wherever it exists and that there can be no justification for terrorism.

Replacement of TADA with POTO

1725. SHRI K.B. KRISHNA MURTHY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are of the view that replacing TADA with the recently proclaimed Prevention of Terrorism Ordinance (POTO) will tackle the militancy and terrorist problems to great extent; .

(b) whether a large number of TADA detenues were released without conviction due to inadequate evidence and incompetent prosecution machinery;

(c) whether Government had got vetted the draft ordinance by the National Human Rights Commission before its enactment; and

(d) whether POTO will also address the terrorist related problems like communal violence, ethnic riots, mob fury, preaching of secession, etc.?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) The proclamation of the Prevention of Terrorism Ordinance is one of measures considered necessary to effectively combat terrorist activities in the country.

(b) Since law and order is a State subject, such information is not Centrally maintained by this Ministry;

(c) The views expressed by National Human Rights Commission on Prevention of Terrorism Bill, 2000 were taken into account while finalising the provisions of Prevention of Terrorism Ordinance, 2001.

(d) The Ordinance provides for definition of terrorist acts as acts done with

intent to threaten the unity or integrity of India or to strike terror in any section of the people by using weapons and explosive substances or other methods in a manner as to cause or likely to cause death or injuries to any person or persons or loss or demage to property or disruption of essential supplies and services, etc. It also brings within its ambit the offences relating to organisations declared as terrorist organisations, financing of terorrism and possession of weapons of mass destruction etc.

Reservations expressed by various forums on POTO

1726. SHRI P. PRABHAKAR REDDY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the serious reservation expressed by the various political parties, some State Governments, several intellectual foras editors guild, journalists and lawyers on the provisions of Prevention of Terrorism Ordinance (POTO) promulgated recently;

(b) if so, the details thereof and Government's reaction thereto;

(c) whether Government propose to discuss the provisions of POTO across the table and be willing to tone down some of the provisions objected to; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYA SAGAR RAO): (a) to (d) Opinions both for and against the Prevention of Terrorism Ordinance, 2001 (POTO) have been expressed in different quarters. The Prevention of Terrorism Ordinance, 2001 (POTO) will be discussed in Parliament when a Bill to replace the Ordinance is introduced during the current Session. The Government is prepared to consider specific suggestions in order to insure that innocent persons are not subjected to harassment/victimization. It is also proposed to discuss the Ordinance in an all party meeting before the replacement Bill is introduced.

Terrorist camps in PoK

†1727. PROF. M.M. AGARWAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Pakistan is running training camps for the terrorists in Pak occupied Kashmir;

(b) if so, the necessary action taken by Government to destroy the said camps; and

†Original notice of the question was received in Hindi.